App F IX-4

Previous References

1923-24 mc

mc File No. 280-13

Serial Nos 1, 2, 3, 4, 5, 647

Later References

General and Revenue Secretariat.

Serial Nos

Part B for July 27

SUBJECT

Amendments to the Mysore Municipal Regulation

HH 26/vii/27

For Council by Circulation

No. C. 208

31. 10 1914.

GENERAL AND REVENUE SECRETARIAT

Council Matter

SUBJECT

Amendment of Sub Section (6) of Section 154 of the Mysore Municipal Regulation, 1906.

CIRCULATED TO THE MEMBERS OF COUNCIL

By Order,

D Narasimha Rao

Secretary to Government

31st October 1914

Extraordinary Member of Council Opinion recorded by the Extraordinary Member 5/11/14

First Member of Council Opinion recorded by the First Member

Second Member of Council Opinion recorded by Second Member of Council

GPE—1 000—8-2-14

G R S 15]

Facing sheet for cases included in the schedule appended to Notification No 33 of the 8th Aug 1912

GENERAL AND REVENUE SECRETARIAT

SUBJECT

Amendment of Sub Section (6) of Section 154 of the Mysore Municipal Regulation 1906

	Date	Initial of officer himself or responsible Deputy
Received in the Secretariat		
Submitted to Secretary		
Submitted by Secretary to Dewan		
Do to Member in charge		
Returned to Secretary		
Circulated by Secretary for Council	31 ω 1914	
Forwarded by 2nd Member	23 ω 1914	
Forwarded by Member		
Forwarded by Member		
Received in Secretariat		
Considered in Council		
Submitted to the Dewan		
Submitted to His Highness		
Orders passed by His Highness		
Final Orders issued		
Circulated to the Members of Council		
Extraordinary Member		
First Member		
Second Member		
Returned to Secretary		

GPB—1,000—11 9-14

(R & 11] 1913

GENERAL AND REVENUE SECRETARIAT

(Mund)

NOTES

File No 280/13

File Heading

Amendments to the Mysore Municipal Regulation

From The President of the Bangalore City Mnl Cl

No 236 Dated 6 2 14 Received 13 2 14

Diary No 4638 | Enclos 2 Spare Copies | Serial No 1

Brief Abstract of Letter

Suggests that Subsec (6) of Sec 154 of the Mnl Regn be so amended as to allow the recovery of the expenses incurred by the Mnl Cl for the Completion of the work required to be done by a Notice under Cl (b) Subsec (5) of Sec 96 in the same manner as an amount Claimed as Tax recoverable under Ch VIII either in one Sum or by instalments as the Mnl Cl may deem fit,

NOTES AND ORDERS

Under Sec 150 of the Bangalore Town Mund Regulations, 1871 the President was authorized to cause a building, erected without Notice or Contrary to provisions of these Regulations, to be altered or demolished, as

Notes—First Sheet

G1 B – 45 000 15 6 12

No. S 12]

General and Revenue Secretariat | Jud File No. 280 of 1913.

Serial No

as the Case may require, the expenses thereby incurred being paid by the person failing to comply with the provisions of the law. See 241 of the same Regulation and that in case of dispute the amount of expenses should be ascertained and determined by the Civil Court

2 The above said Regulations were repealed by the Bengal Inland Regulation of 1906 The provisions in the law corresponding to those above mentioned are the following

Secs 96(5), & 154 (6)

The present law goes a step further than the repealed one and says that in case of dispute, the amount payable shall be ascertained by a Panchayet

3. The Panchayet System may no doubt be inconvenient The law is supposed proposed to be amended so far as Sec 160 applies to the expenses incurred by the said person in altering or demolishing buildings (Compounded) without authority

4 Before best considering the action to be taken in the matter it may be interesting to know in

NOTE—Contn sheet

[R S 12]

General and Revenue Secretariat | Jud File No. 280 of 1913.

Serial No

on how many instances during the year & the past 4 or 5 years the Jud Cl had to exercise their power under Sec 96(5) & thereby incur expenses from Jud funds, the amount spent in each case & in how many instances the ex amount claimed by the Municl Cl was disputed, the number of instances in which Surcharges were constituted, and the number of cases disposed of by them, the instances in which their decisions were not accepted & the number of Suits filed by or against the Municl Council

HMK 70

9 3 1914. 5 pp. draft

BS

Rec 12/3

6. Draft of a letter as ordered

HMK 70

13 3 1914 7 the information called for

BS in the draft is necessary in order to decide whether in the light of past experience further amendments of the law without such information, it will not be possible to prepare a statement of facts and reasons

NOTE—Contn sheet

G P H—60,000—7 1 15

The...

[R 5 12]

General and Revenue Secretariat

Jud File No. 280 of 1913.

Serial No	
	8 The Mun[l] Council will, if necessary, be also Cancelled after a prima facie Case for amendment is made out by the City Mun[l] Council of Bangalore submitted for orders
	Sec[y] 19/9/13.
	9 Issues 11/9
5	12 To the President, Bangalore City Mun[l] C[l] Calls for the particulars referred in para 4 supra.
3 4	Letter No. 68 dated the 4th Sept. 13 from the President, Bangalore City Mun[l] Council submitting the required information
12	In view of the information now furnished by the Mun[l] President, it is for consideration whether a prima facie Case has been made out for amending the Rules in the manner suggested. A scheme for settlement of disputes by arbitration does not seem to be inconsistent with the scheme of Local Self Govt

Issued 15.10 19/10 16.10

NOTE—Contn sheet.

KDB-50 000—7 11 11

1955 5

G R S 12]

General and Revenue Secretariat | Rl File No. 280 of 1913.

Serial No	
13	All the Municipal Acts (except Bombay) contain a provision similar to the one suggested by the Bangalore City Municipal Council. Such a provision is necessary from the point of view of Public Health Admn & Town Planning. Sub for orders as to whether a draft bill may be prepared for consideration of the Municipal Councils consulted first. Drawn. Hon 17/10
14	The proposed amendment seems to be quite necessary and we need not delay introducing it for the sake of consulting the Municipal Councils. Unless there is a speedy way of recovering the cost of completing an act the parties affected cannot be made to feel their responsibility to any effectual extent. R 19/10. Hon 21/10
	Vide preceding Drawn
15	Yes. This amendment is a very desirable one & may be introduced. Hon 23/10

2104
28-10-14
NOTE—Contn sheet.

22/10

GPB—60 000—7 11 13

[R S 12]

General and Revenue Secretariat | Jud File No 280 331 of 1913.

Serial No

Subject Amendment of the Municipal Regulation

16 I agree Please circulate to the other Members of Council and, if they also agree, send up the file with a draft submission note

27/6/14 RL

CS
an Secy Govt

17 With due deference, I am inclined to consider this alteration unnecessary and undesirable The vice President's memorandum cites various provs where penalties, costs &c are made recoverable by summary procedure under ch VIII But they are all seen to be cases involving danger, nuisance &c. But this matter (S. 96 Sub S-) is not one falling under those classes. It refers to the building or alteration &c by an owner on his own property If the mala infraction were Considered as serious (or as indicative of moral obliquity) as the other cases, even as prov 152 have been then

NOTE—Contn sheet.

GPB—60 000—7 11 13

G R 5 12]

General and Revenue Secretariat | Mil File No 280 of 1913.

Serial No

and there inserted as in other cases for the application of the summary remedy. As this is a different matter, it was apparently left to be decided by the Courts in case of dispute. I think that the proposal should be ~~as~~ dropped. If necessary, this question may be considered at a meeting.

2/14/14 Dass 4/11

18 Jam for the amendment

5-11-14

to Rec^m note as proposed

ur 2/12

3150
8-12-14

Seen 8/12/14

19 Please bring up at a meeting of Council

Seen 10/12 13 12 14 Ro

NOTE—Contn sheet.

GPB—60,000—7 11 13 Seen 12/12

10/12

(1 L—1,000—19-7 L)

9

Ind 2 P 0 —13) —

Extract from the Proceedings of the 342nd Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 16th December 1914.

6. SUBJECT. - (Clause 11 of the Schedule).

Amendment of sub-section 6 of Section 164 of the Mysore Municipal Regulation, 1906.

ORDER OF COUNCIL.

The Mysore Municipal Council may be consulted in the matter and requested to state whether any difficulty has been experienced for want of the proposed power and if so, in how many cases.

Sd/- M Visvesvaraya
Dewan of Mysore

"Extract"

D Narasimha Rao 7/12

Offg Secretary to Government

R S 12]

1955

General and Revenue Secretariat | File No. 280 of 1913.

Serial No	
21	Forwarded to the Deputy Secretary for favor of taking further action in accordance with the Resolution of the Council 17/12
22	
23	Draft submitted 19.12.14 Dy Secy 24/12 23/12
24	24/12
4	25th Jan. To the President, Ind. Council, Simla. Through the Dy Comr. Simla Dist. No. 5036 dt. 28-12-14 informing him of the above proposal to amend the Ind. Regs. & requesting him to state whether any difficulty has been experienced in the Simla City for want of the proposed power & if so in how many cases
5th	26 From the same office through the Deputy Comr. No. 127 & 25 I.D. with No. 5794 dt. 1 I.D. (D 4793). Reports that

NOTE—Contn sheet

GPB—25,000—2 11 14

G.R S 12]

4793

General and Revenue Secretariat | Mul File No 280 of 1913.

Serial No

no difficulty was experienced in the Mysore city for want of the prohibitory power as in case of the kind referred to in Sec 61 of the Mul Regn would get covered & that the Mul Council ~~[illegible]~~ are however in favour of amending the section in so far as it relates to the mode of recovering the amount due to the Mul. very that it may be made recoverable as municipal tax

27 Subd. for orders with reference TJ 48 Mar 98 4 295 to the Council Resn on page 9

The Mysore city Muni Council want that the procedure as regards ascertainment of amount due by a panchayet or by the Dt Judge, should continue, but that the amount so awarded should be recoverable as a Muni tax

28 This ~~[illegible]~~ would require the amendment of Sec 154 (6) of the Muni Regn as follows

Existing provision

be recoverable in the provided in Secn 160"

Provn as amended

" and shall be assessed in the manner provided in Sec 160, and recovered ~~[illegible]~~ accordance with the provisions of Chapter VIII

Dyer 4/

Hm 7/2

NOTE—Contn sheet.

C B S —66 000—7 11 13

4793 12

4 R. S 12]

General and Revenue Secretariat | Ist File No. 180 of 1913.

Serial No.

29. The matter may perhaps have to be considered again at a meeting of Council. If the Fort Market & Dawan appeals, the file can be circulated

Levy

8/1/15

For Market & Dawan

Dun gerdas n/c

30 There seems to be no serious objection to the proposal of the Municipal Council of Mysore being adopted, though I am afraid it will not satisfy the wishes of the Bangalore President

18/2/15 Am 19/2

5596 22-2-15

31 Please circulate a copy of the Municipal Council

Am 19/2

13/4/15 RC

C S

A 32

(4)(a)(c)

Levy.

16/4 Am 7/4

33 Council

The President of the B C M may be consulted in regard to the proposal of the Mysore Municipal Council

Draft Am Fowler

Arrears 4/7/4

NOTE—Contin. sheet.

4PB—25,000—8-11-14

3 Cp

B R S 12]

General and Revenue Secretariat

Dept File No. 280 of 1913.

Serial No	
	35 Draft submitted.
	Mins 36 Decree 1/5/1915 Am 1/5
6	37 Letter No 8506 dated the 6th May 1915 to the President, Bangalore City Munb. Council. Forwards Copy of the Mysore City Munb. President's letter in the matter and calls for his opinion on the suggestion made by that Munb. Council
7	38 Letter No 339 dated the 28th May 1915 from the President, Bangalore City Munb. Council. States in reply that the Managing Committee do not agree with the suggestion made by the Mysore City Munb. Council but that he has no objection to the slight alteration proposed by that Council
	39 File submitted with reference to paragraph 33 supra
	Mins 40 Secy) 4/7/15 Am 15/7
	41 Will be considered & brought up before a Meeting of Council & action taken (Secy to remember) Bangalore 7/7
	42 Secy Am 20/7
	43 Am 20/7 Am 20/7 28/7/15

NOTE—Contn sheet

GPB—2000—2 11 1

Mul 280-13 14

GPB—1,000—19 7 18

Extract from the Proceedings of the 358th Meeting
of the Council of His Highness the Maharaja,
held at Bangalore on the 25th August 1915.

13. SUBJECT. - (Clause 11 of the Schedule).

Amendment of sub-section 6 of section 154 of the Mysore Municipal Regulation, 1906.

OPINION OF THE COUNCIL.

44. The law may be amended so as to realise the amount awarded or fixed by a punchayet under section 160, recoverable by summary process under Chapter VIII of the Regulation as municipal tax.

Sd M Visvesvaraya,
Dewan of Mysore

'Extract

D. M. Narayana Rao B/C
Secretary to Govt
Genl Deptt

15

G R S 12]

General and Revenue Secretariat

Ind File No 280 of 1913.

Serial No

45 Extract from the Proceedings of the Council is put up

45 Forwarded with compliments to the Secretary to Government, Revenue Department for favour of necessary further action

By Order,

D. N. Narasimhalu 2/1-

Secretary to Government,
General Department

47 B^r iv for S.S.R
Ind
27/8/15
27/8

fr appl 48 draft and a note is put up
Ind 49/28/8/15
Rev secy
28/8

49
Ind
D Secy
28/8/15

1080
30-8-15.

NOTE—Contn sheet

W D 105—GPB—200—20 7 15

Nl 280 - 13 16

SC Submitted to His Highness

(1) Under the Mysore Municipal Law, as it stands at present, whoever begins any building or makes any alteration or addition to it contrary to the requirements of Section 96 clauses (1) and (4), is liable to a fine, and the Municipal Council may also, by written notice, require such building, alteration or addition to be altered or demolished as they may deem necessary (Section 96, clause 5) In the event of non-compliance with the terms of the notice, the Municipal Council may take such action or such steps as may be necessary for the completion of the act thereby required to be done, and all the expenses therein incurred by the Municipal Council may be recovered from the person or persons upon whom the notice was served. (Section 154, clause 6). If a dispute arises with respect to such expenses, the amount has to be ascertained and determined by a Panchayat of 5 persons, two to be appointed by each party and one to be selected by the members so appointed. In case of failure to appoint Panchayatdars or in case the Panchayet fails to give their decision in time, the matter has to be determined by the District Court (Section 160) Even after such determination, the amount can only be got by a suit, if the party fails to pay the same

(2) The Bangalore City Municipal Council considered the above procedure too cumbrous and desired to be invested with the same power for recovering the costs incurred in such cases as they had as regards amounts claimable as taxes i.e. by the ordinary coercive processes provided in Chapter VIII of the Regulation

Wl 280-13 7

Pages 5 & 8 of
Office Note
Dated 7 & 8 of
Dy. Sec. Notes

(3.) The Extraordinary Member and the Second Member were in favour of the proposed amendment. The First Member, however, first considered the alteration unnecessary and undesirable.

Page 14 of
Misc. Notes

(4.) After some further correspondence, the matter was considered in the Council, who are of opinion that the law may be amended so that the procedure as to the determination of costs shall continue as at present, but that the amount so ascertained may be recovered by summary process under Chapter VIII of the Municipal Regulation

(5.) This may be approved.

SPL

[illegible]
3rd Sept 1910

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Amendment of Sub Section (6) of Section 154 of the Mysore Municipal Regulation, 1906.

Order

239

51 ~~KRMP~~
6/9/15

52 Lawley
7 9 15
Rao
719

53 Further action has to be taken on B^r III for amendment of the section 14/9/15

14

13.9.15

19/9/15

280

Dy. Secretary to Govt. of India
Home Deptt.

No. 9/6/45

Sir,

I am directed to say that the Special Committee has considered the application of the above-named prisoners in their files and the question was examined.

The papers may now be filed

Yours faithfully,

Secretary
to the Govt. of India

Section 170 of the London Building Act 1894.

Council may demolish buildings and sell materials, and recover expenses.

Where any person has been convicted of an offence against any of the provisions of any Part of this Act, or any by-law made thereunder, by constructing, erecting, adapting, extending, raising, altering, uniting, or separating any building or structure, or any part of any building, or structure, in contravention of any provisions of any Part of this Act, it shall be lawful for the Council, after giving fourteen days' notice to such person to bring such building or structure into conformity with the said provisions, and after default shall have been made in complying with such notice, and notwithstanding the imposition and recovery of any

penalty, to cause complaint thereof to be made before a petty sessional court, who may thereupon issue a summons requiring the person making such default as aforesaid to appear to answer such complaint, and if the said complaint is proved to the satisfaction of the court, the court may make an order in writing authorising the Council, and it shall thereupon be lawful for the Council to enter upon such building or structure with a sufficient number of workmen and to demolish or alter such building or structure, or any part thereon, so far as the same shall have been adjudged to be in contravention of this Act, or any by-law under this Act, and to do whatever other acts may be necessary for such purpose, and to remove the materials

materials to some convenient place, and if in their discretion they think fit, sell the same in such manner as they may think fit, and all expenses incurred by the Council in demolishing or altering such building or structure or any part thereof, and in doing such other acts as aforesaid, or the balance of such expenses, after deducting the proceeds of sale of the aforesaid materials (if the Council thinks fit to sell the same), may be recovered from the person committing the offence aforesaid in a summary manner

If the proceeds of such sale shall be more than sufficient to defray such expenses the Council shall restore the surplus of such proceeds, after deducting the amount of all such expenses, to the

owner of the building or structure on demand.

Power given to demolish buildings to be exercised by the Borough Councils under London Government Act, 1899, Second Schedule, Part II., only when they have obtained conviction.

See Section 153, Sub-section 2, page 117, in which case the Council have power to act without obtaining an order of Petty Sessional Court.

Section 4 of the Public Health Amendment Act, 1896.

Expenses of local authority.

"All expenses incurred or payable by a local authority in the execution of this Act, and not otherwise provided for, may be charged and defrayed in the case of an urban authority as part of the expenses incurred by them in the execution of the Public Health Acts, and in the case of a rural authority as part of their general expenses under the Public Health Acts."

Section 11 of the Public Health

Amendment Act of 1891.

Costs of execution of provisions relating to nuisances.

(1) "All reasonable costs and expenses incurred in serving notice, making a complaint, or obtaining a nuisance order, or in carrying the order into effect, shall be deemed to be money paid for the use and at the request of the person on whom the order is made, or if the order is made on the sanitary authority, or if no order is made, but the nuisance is proved to have existed when the notice was served or the complaint made, then of the person by whose act, default, or sufferance, the nuisance was caused, and in case of nuisances caused by the the act or default of thw owner of premises, such costs and expenses may be

be recovered from any person who is for the time being owner of such premises."

(2) "Such costs and expenses, and any fines incurred in relation to any such nuisance, may be recovered in a summary manner or in the county court or High Court, and the court shall have power to divide costs, expenses, and fines between persons by whose acts, defaults, or sufferance a nuisance is caused, as to it may seem just."

DRAFT SUBMISSION NOTE.

√√

Submitted to His Highness

Under the Mysore Municipal Law, as it stands at present, whoever begins any building or makes any alteration or addition to it contrary to the requirements of section 96 clauses (1) and (4) is liable to a fine, and the Municipal Council may also by written notice require such building, alteration or addition to be altered or demolished as they may deem necessary. (Section 96, clause 5). In the event of non-compliance with the terms of the notice, the Municipal Council may take such action or such steps as may be necessary for the completion of the act thereby required to be done, and all the expenses therein incurred by the Municipal Council ~~shall~~ may be ~~paid by~~ recovered from the person or persons upon whom the notice was served. (Section 154, clause 6). If a dispute arises with respect to such expenses, the amount had to

be

be ascertained and determined by a Panchayat of 5 persons, two to be appointed by each party and one to be selected by the members so appointed. In case of failure to appoint Panchayatdars or in case the Panchayat fails to give their decision in time, the matter has to be determined by the District Court. (Section 160). Even after such determination, the Amount can only be got by a suit, if the party fails to pay the sam

2. The Bangalore City Municipal Council considers the above procedure too cumbrous and desires to be invested with the same power for recovering the costs incurred in such cases as they have as regards amounts claimable as taxes i.e. by the ordinary coercive processes provided in ~~clause~~ Chapter VIII of the Regulation.

3. The Extraordinary Member and the 2nd Member are in favour of the proposed amendment. The First Member, however, considers the alteration unnecessary and undesirable. In his view, the provisions cited in the Vice-President's Memo, where penalties, costs etc were made recoverable

4 After some ~~of~~ further correspondence, the matter was considered by the Council, who are of opinion that the law may be amended so that the procedure as to the determination of costs should continue as at present, but that the amount so ascertained may be recovered by summary process under chapter VIII of the Insurance Regulation

This may be approved

Dy 28/9/15

28/9/15

recoverable by summary procedure under chapter VIII of the Regulation related to cases involving danger to person or property, nuisance etc, ~~and~~ while Section 96 Clause 5 refers to quite a different class of cases and concerns but ~~refers to~~ acts done by an owner to his own property. He ~~thinks~~ thought that if the infractions were considered as serious (or as indicative of moral obliquity) as in the other cases, a provision would have been inserted allowing the application of the summary remedy, and that the absence of such a provision in this respect shows that there ~~is~~ was essential difference between the ~~6~~ two cases

4 A provision ~~submitted~~ similar to the one ~~view~~ not proposed exists in the Municipal Acts of all British Indian provinces except Bombay

Similar powers are conferred on the Local Authorities in England also by Section 170 of the London Building Act 1894 and the Public Health Amendment Acts of -

Extracts appended Flag L)

of 1890 (Section 4) and 1891 (Section 11) and I am of opinion that the grant of a similar power to all Local Municipal - Councils especially the premier Municipalities of Bangalore and Mysore will greatly strengthen their hand in carrying out operations for improving public ~~Health~~ and town planning.

5. I accordingly solicit the sanction of His Highness to take action for amending the Municipal Law so as to allow expenses incurred in completing alterations or demolitions required to be made under section 96 clause (5) to be recovered in the same manner as an amount claimed on account of a tax.

5

A.S.

1953

Draft for orders

Submitted to His Highness the Maharaja of Mysore.

Under the Mysore Municipal Law, as it stands at present, whoever begins any building or makes any alteration or addition to it contrary to the requirements of section 96 clauses (1) and (4) shall be punished with fine, and the Municipal Council may by written notice require such building, alteration or addition to be altered or demolished as they may deem necessary. (Section 96, clause 5). In the event of non-compliance with the terms of the notice, the Municipal Council may take such action or such steps as may be necessary for the completion of the act thereby required to be done, and all the

expenses therein incurred by the Municipal Council shall be paid by the person ~~or~~ persons upon whom the notice was served. (Section 154, clause 6). If a dispute arises with respect to such expenses, the amount has to be ascertained and determined by a Panchayat of 5 persons, two to be appointed by each party and one to be selected by the members so appointed In case of failure to appoint Panchayatdars or in case the Panchayat fails to give their decision in time the matter has to be determined by the District Court (Sec 160)

2. The Bangalore City Municipal Council considers the above ~~this~~ procedure of recovering the costs incurred by them in exercise of their powers a tedious course for the purpose, ~~and~~ unsuited and unworkable in practice They propose that Section 154 clause (6) of the Municipal Regulation may be so ~~am~~ as to admit of such expenses

to summons and decree the insolvent with the same power for recovery the costs incurred in such cases as they have as regard amounts claimable as fines or by the ordinary Criminal process ~~shall be~~ provided in Ch VIII of the Code

expenses being recovered in the same manner as an amount claimed on account of any tax, that is, by the ordinary co-ercive processes provided in Chapter VIII of the Regulation.

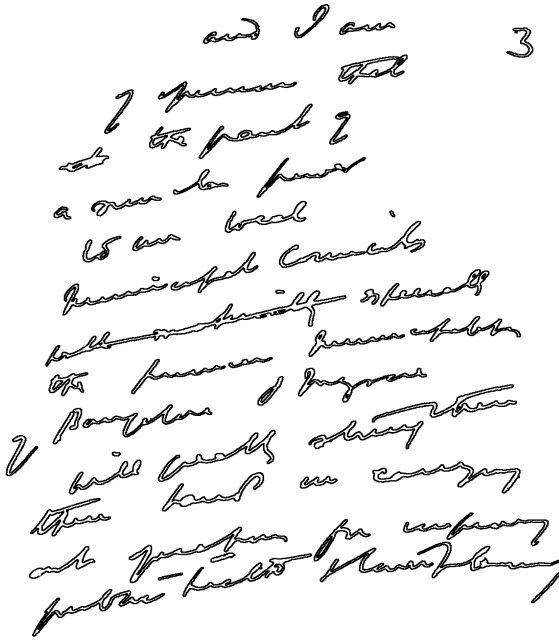
5 It is admitted that cases in which this procedure was adopted, have been few.

4 But a provision like the one proposed exists in the Municipal Acts of all provinces except Bombay It is also quite necessary for the efficient and effective exercise by the Municipal Councils of their Public Health and Town Planning powers

Similar powers are conferred on the Local Authorities in England also by Section 170 of the London Building Act 1894, and the Public Health Amendment

Amendment Acts of 1890 (Section 4)

and 1891 (Section 11),



3 The Extraordinary Member and the 2nd Member are in favour of the proposed amendment. The First Member, however considers the alteration unnecessary and undesirable. In his view, the provisions cited in the Vice-President's memo, where penalties, costs etc. are made recoverable by summary procedure under chapter VIII of the Regulation relate to cases involving danger to person or property, nuisance etc. and the matter of Section 96 Clause 5 is not one falling under those classes but refers to the building or alteration etc. by an owner on his own property. He thinks that if the infractions were considered as serious (or as indicative of moral obliquity) as the other cases, a provision would

would have been ~~then and there~~ inserted as in ~~other cases~~ always for the application of the summary remedy, and that the absence of such a provision in this respect shows that ~~this is a different matter.~~ there is marked difference between the 2 cases

I am of opinion that for reasons ~~xxx~~ already stated in detail above, the ~~xxx~~ omission of the provision at the time the Regulation was passed need not deter us from amending the law now and that on the contrary, the amendment is very necessary ~~to sanction the proposal~~ I accordingly solicit the sanction of His Highness the Maharaja to take action for amending the Municipal Law ~~in the direction indicated~~ so as to allow suits as caused in complaint after action demanded has been made under S 96 Cl(5) recovered in the same manner as the amount claimed on account of a tax

PMM 2/12

PMM

GRS 13]

Draft

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record.]

Sub: this business

Under the proposed Bomb. Law, as in existence at present, whoever begins any building or makes any alteration or addition if it is contrary to any of the requirements of rule 96 (1) (a) (b) shall be punished with fine, and the Bomb. Council may by written notice require such building alteration or addition to be altered or demolished as they may deem necessary (Rule 96, cl 5) In the event of non-compliance with the terms of the notice, the Bomb. Council may take such action as such steps

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on th e form

GRS 13]

Routine Notes

[To be used only for notes, requisitions, etc, not intended for permanent record]

as may be necessary for the completion of the act thereby required to be done therein and all the expenses incurred by the Municipal Council shall be paid by the person or persons upon whom the notice was served (See 154 cl 6) If a dispute arises with respect to such expenses, the amount has to be ascertained and determined by a Panchayat of 5 persons, two to be appointed by each party & one to be selected by the members so appointed In case of failure to appoint Panchayat Jurors or in case the Panchayat fail to give decision in time the matter in dispute shall be determined by the Distt Court (See 160)

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on th s form

GI B —50 000- 29 C 14

GRS 13]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

2) The Bongabove City Municipal Council considers this procedure of recovering the costs incurring by them in exercise of their powers, by taxation a tedious course unsuitable for the speedy recovery of the sums due to them in respect of cases under purpose reference, and unworkable in practice they propose that Sec 154 cl (b) of the Municipal Regs may be so amended as to admit of such expenses being recovered in the same manner as an amount claimed on account of any tax, that is by the ordinary Co-ercive processes under Chapter VIII of the Regs

3) It is admitted that Cases in which procedure

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on th s form

GI B 0 000- 2, 0 14

G R.S 13]

4

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

Procedure ~~has~~ was adopted
have been found
by Bill ~~etc~~ a provision
like the one proposed exists
in ~~the~~ the Municipal Acts of
all provinces except
~~the~~ Bombay ~~and~~
It is also quite necessary
for the efficient and
effective exercise ~~of~~ by
the Municipal Councils of their
~~Sanitary powers~~ Public
Health and Town Planning
powers

~~The Bombay Health Amendment~~
~~Acts of 1890 and 1911 gives similar~~
~~powers~~

Similar powers are
conferred on the local authorities
in England also ~~by~~
by sec 170 of
the London Building Act
1894, & the Public Health
Amendment Acts of 1890 (Sec 4)
and 1891 (Sec 11)

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form.

—50 000 —29 6-14

G R S 13]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record.]

5. The 2nd respondent and the 2nd member are in favour of the proposed amendment. The first member, however, considers the alteration unnecessary and undesirable In his view the existing provision cited in the rule. Pursuant to, where penalties, costs are made recoverable by summary procedure under Ch VIII of the Regs exclude to cases wherein danger, nuisance is and the matter as of Sec 96 Ch 5 is not one falling under those clauses but appears to the building an alteration is by an owner on his own property the Courts have it. His intention

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on th s form

(P1) 50 (10)—2)

G.R S 13]

Routine Notes.

[To be used only for notes, requisitions, etc , not intended for permanent record]

infraction were considered as serious (or as indicative of moral obliquity) as the other cases, a provision would have been there inserted as in other cases for the application of the summary remedy, and that the absence of such a provision in this respect shows that this is a different matter. In the present circumstances he would drop the proposal.

I am of opinion that ~~the Viceroy's opinion~~ the decision above, the omission of the provision clear as from amending the law of ~~amendment proposed by~~ amendment is ~~necessary~~ to ~~proceed~~ submit the file for the orders of His Highness approve, action will be taken for making the ~~the~~ Council

for reasons already stated in detail the time the Act was passed need not and that, in the Circumstances, the amendment Sanction the proposal I accordingly

I accordingly solicit the sanction

of His Highness

to take action for amending the Law in the direction indicated.

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

0 000 29 6 14

GRS 13]

1955

Routine Notes

To be used only for notes, requisitions, etc , not intended for permanent record]

Draft
Submission note in
Municipal file 280-13

The Rt. Hon. Secretary
(Mrs. Rhuna Maktan) directed
that the draft might
be typed written after
verifying the statement
made at page 4 hereof
about the powers of Local
Authorities under certain
British Statutes

Sections 4, 6 & 18 of the
Public Health Acts Amend-
ment Act 1890 ~~xxxx~~ and
Sections 153 & 170 of the
London Building Act, 1894
seems to be the provisions
in point

Sec 18 of the former Act
empowers Local Authorities
to settlement of
disputes by arbitration.

N.B.—Should routine notes be written on small slips the notes must be copied or slips pasted on this form

GPB—50 000—2

M.L
9/11

GRS 13]

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

Sec 170 of the London Building Act 1894

2) See 4 of the Public Health Amendment Act of 1890 &

3) See 11 of do — of 1891

See 170 of the Latter & other provisions provide for the recovery of expenses by summary procedure

Instructions are solicited as to whether law draft into note may be got typed as above

27/11/14

Please type as added to

Keep Extracts of relevant portions in the file Nos

11/12

11/12/14

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form.

GPB—50 000—29-6-1

G R S 13]

Routine Notes

[To be used only for notes, requisitions etc, not intended for permanent record.]

The matter was considered in Council on the 16th ult. and in accordance with their opinion the Imperial Govt. will be requested to state whether any difficulty had been experienced for want of the proposed power & if so in how many cases & if it is ascertained that the cases be few there has been no occasion to exercise the powers under Sec 15 cl (6). The Imperial Govt. will be asked whether Sec 15 cl (6) may be so far amended as to empower the amount awarded to be fixed by the Panchayat or the Dist. Judge under

NB —Should routine notes be written on small slips, the notes must be copied or slips pasted on this form

GPB 50 000—5-8-15

6 8

G R.S 13]

Routine Notes

[To be used only for notes, requisitions etc., not intended for permanent record.]

under Sec 160 being
recovered by Summary
Process under the
provisions of Ch VIII.
Pro tem
The Amendment has
been requested acquiesced
in by the President of
the Bangalore Cy. Mlcl
6 The question was
again brought up
before the meeting of
the Council on the 25th
August 1915 & they
are of opinion that the
law may be Amended
so as to render the
Amount awarded or
fixed by a panchayat
under Sec 160 recovera
by Summary Process
under Ch VIII of the 4th
Regn as Municipal
tax

7 9

N B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

GPB 50 000—5-8-15

7

G R S 13]

Routine Notes.

[To be used only for notes, requisitions etc, not intended for permanent record.]

Q. I solicit orders for action being taken in accordance with the Opinion of the Council

V B —Should routine notes be written on small slips the notes must be copied or slips pasted on this form

GPB- 50 000—5-8-15

Ind File No 280713

Serial No 4

Sus Regr No 148

Shall a Reminder issue to the Inl Prest Myore after the Dc Myore

for a reply to this Office No 5036, dated the

28 12 14

Subject

Enquiries whether the Council have experienced any difficulty in the Impossibility for want of the power to recover by Coercive process, Expenses incurred by them under Sec 154 (6) of the Ind Reg

Reminders

No	Date	

G R S 72

No 236

Enclo 2

OFFICE OF THE PRESIDENT, MUNICIPAL COUNCIL

Bangalore City, dated **6th February** *191*

2l 280 - 137 81 / 4638

From

DEWAN BAHADUR RAJA SABHA BHUSHANA
K P PUTTANNA CHETTY, ESQ,
Honorary President, Municipal Council,
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

SIR,

I have the honor to forward herewith for the consideration and orders of Government, a copy of the Vice President's memo dated the 25th November 1913 proposing the necessity of amending sub section 6 of section 154 of the Mysore Municipal Regulation VII of 1906 and of the Municipal Council's resolution dated the 31st ultimo, approving the proposed amendment.

2. In section 154 (6) of the Municipal Regulation, provision has been made for the recovery of any expenses incurred by the Municipality in completing an act which the parties concerned fail to do on the issue of the usual notice, in the manner provided in section 160 of the Regulation, that is by means of arbitration.

3. The above section prescribes a tedious course which is not suited for the recovery of such items, the party liable for payment, even when the panchayat arrive at a decision, being likely to evade it, leading the Municipality

[redacted]

Municipality eventually to file a suit against him; for the above section does not provide any alternative course when the party or parties concerned evade compliance with the decision of the panchayat.

4- Section 160 is, besides found by experience to be unworkable in practice, even in cases of the settlement of compensation. Much less can it prove effectual in helping the Municipal Executive to carry out the provisions of section 154.

5. I therefore request that the proposed amendment to section 154 to which the Municipal Council as well as the the Managing Committee have given their approval, may be placed before the Legislative Council for sanction.

I have the honor to be
Sir,
Your most obedient servant,

W W Cunningham

Honorary President.

Copy of Vice President's Memo dated the 25th November 1913

. ...

Sub Section (6) of Section 154 provides that all expenses incurred in completing an act required to be done by a notice which has not been complied with shall be recoverable in the manner provided in Section 160, i.e., by arbitration. If the party concerned should fail to pay such expenses when the Panchayat have given a decision, a suit will have to be filed in due course for recovery.

The procedure laid down applies very well in cases when compensation or damages are to be paid by the Council to privat parties But where the Council incur any expenses under Sub Section (6) of Section 154, in completing an act required to be done by a notice under clause (b) of Sub Section (5) of Section 98 it seems very desirable to direct that such expenses shall be recoverable under Chapter VIII.

It will be seen from Section 119 (1) that all expenses incurred by the Municipal Council in putting up a board or fence to protect passengers from ruinous or dangerous buildings are made recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapetr VIII. Further, under Sub Section (2) of Section 122, all expenses incurred in the removal of obstructions and encroachments upon public streets and open spaces such as drains, gutters, sewers etc, are also made recoverable under Chapter VIII. Expenses incurred by the Council under Section 120 (2) to remedy immediately certain sources of water supply, and under Section 121 (2) to restore certain displacements are also made recoverable under Chapter VIII Similarly, certain other expenses incurred by the Council to complete an act required to be done by a notice when the person on whom such notice has been served has failed to comply with it are made recoverable as taxes under Chapter VIII

Compare section 111 (2), section 126, 131 (3), 156 (1) and ( )

In the absence of a like provision for the recovery of

expenses

expenses incurred to complete the alteration or demolition referred to in Clause (b) of Sub Section (5) of Section 96, the provisions of this clause and the corresponding provisions of Sub Section (6) of Section 154 which alone seem to apply in the case of the completion of the act required to be done by the notice under the aforesaid clause will not be effectual and will remain merely inoperative. If the Council desire to regulate buildings in the City, there should be sufficiently effectual and speedy remedy to correct infringement of the provisions laid down.

Hence it is proposed that Sub Section (6) of Section 154 be amended to read as follows -

" (6) In the event of the non-compliance with the terms of the notice it shall be lawful for the Municipal Council to take such action or such steps as may be necessary for the completion of the act thereby required to be done, and all expenses therein incurred by the Municipal Council shall be paid by the person or persons upon whom the notice was served, and shall, when not otherwise provided for by this Regulation, be recoverable in the manner providedin Section 160, provided that, when such expenses are incurred by the Municipal Council for the completion of the act required to be done by a notice under clause (b) of Sub Section (5) of Section 96, such expenses shall be recoverable in the same manner as an amount claimed on account of any tax recoverable under Chapter VIII either in one sum or by instalments as to the Municipal Council may seem fit."

Sd. B.S. Ranoji Rao,
Vice President.

" C O P Y ".

For Honorary President.

Proceedings of an Ordinary General Meeting of the City Municipal Council Bangalore, held at the Office premises at 11 A.M. on Saturday the 31st January 1914.

Gen Genl 280-13
871

PRESENT.

H.H. Maharaja Raja Rama Varma Avl. Puttanna Chetty Esquire, Honorary President.

D. Chairman and Notty Esqr.,

B.K. Garuda Char Esqr.,

H.K. Veerabasavayya Esqr, B.A. B.L.,

D. Adappa Esqr.,

G. Siddaveerappa Esqr.,

D.V. Ramaswamy Chetty Esqr B.

D. Imam Khan Esqr.,

F. Ramaiya Esqr.,

S. Ramachandraraoud Esqr, B.A

D. Venkataramaiya Esqr, B.A.,

S. Venkataranganayar Esqr.,

D. Chandrasekhara Murthy Esqr.,

The Executive Engineer, Bangalore Division.

R. Subba Rao Esqr, M.R.A.S., F.C.S.C., Health Officer.

The Artillery, Bangalore Taluk.

Rev. M.A. Rowe.

C.V. Narasimhaiyar Esqr, B.A., B.L.,

D.B. Purushottama Murthy Esqr.,

M. Rajappa Esqr.,

ABSENT.

M.A. Subba Rao Esqr.,

M. Subbaiya Esqr, B.A.,

B. Abdur Rahman Esqr, B.A.,

B. Ramappa Esqr.,

Opinion of the Managing Committee dated the 10th January 1914 approving certain amendment proposed by the Vice President to Sub Section (6) of Section 154 of the Municipal Regulation of 1906.

Resolution - The proposed amendment would facilitate municipal work and may be adopted.

Sd. K.P. Puttanna Chetty,
Honorary President.

"COPY".

For Honorary President.

Further particulars called for re. proposal to amend sub-sec (6) of sec 154 of the Mys Muni Regn

G R S 26]

11/4

File No 280/13

Serial No 2

Diary No of letter replied to 4638

Cs 264/13

No 10442

ml 280-13-

9.8.4 14.

General and Revenue Secretariat

(Mural)

, the 191

To

The President of the

Bangalore City Mnl Cl

Date of issue 16 4 14

Signed by Mr a V. Ramanathan

Sir,

Referring to your letter No 2368 the 6th Feby 1914 suggesting an amendment to sub-sec (6) of Sec 154 of the Mysore Munl Regn, I am directed to request you to be so good as to furnish the following particulars from

(1) the number of notices issued under Sec 96(5) of the Mnl

over

SUBJECT

In Rep during the year 1913-14 and the previous four years,

(ii) the number of instances in which the notice was not complied with,

(iii) the number of cases in which the Inf'd took action under sub-sec (6) of sec 154, and the expenses incurred out of Inf'd funds in each case,

(iv) in how many instances the amount of expenses claimed was disputed by the owners,

(v) the number of cases referred to Conciliators, (2) disposed of by them & (3) in which the decision of the Conciliators was not accepted, &

(vi) the number of suits filed for the recovery of such expenses & the issues involved.

List of enclosures

Copied by

Examined by

GPH—25 CID—8-9-11

13.3.1914

Secretary

B M 109]

No 68
Gen 1

Rl 280-13/82 3

OFFICE OF THE PRESIDENT,
MUNICIPAL COUNCIL,
BANGALORE CITY, DATED 4th September 1914.

FROM

DEWAN BAHADUR RAJA SABHA BHUSHANA
K. P PUTTANNA CHETTY, ESQ,
Honorary President, Municipal Council,
Bangalore City

1955

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
Bangalore

SIR,

With reference to your letter No. 10442/M1. 280-13-2 dated the 18th April 1914, calling for information regarding the proposed amendment to Sub Section 6 of Section 154 of the Mysore Municipal Regulation, I have the honor to forward herewith a copy of statement furnished by the Health Officer showing the particulars called for in clauses(I) to (IV) of the letter under reply. In regard to clauses (V) and (VI) I beg to add that during the year 1911-12, in the matter of acquiring a piece of land belonging to one Sreerungappa in Marammanagudi lane, II-Division, to the north of the Taluk Cutcherry road, the question of the amount of compensation payable to the owner was referred for settlement to an Arbitration Committee, for the first time, under Section 160 of the Municipal Regulation. The Panchayatdars on each side were named and they were asked to meet and settle the point. But the procedure proved a failure as the Panchayatdars never met together nor decided the matter, in spite of repeated calls from this office, chiefly owing to the

default

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No.

default of the arbitrators on the side of the owner of the land referred to.

I have the honor to be

Sir,

Your most obedient servant,

Honorary President.

Enclosure 2813/A3

List showing particulars of action taken re unauthorised construction of structures and buildings in the City.

Year.	Number of notices issued under section 96(5)	Number of notices not complied with.	Number of cases in which action taken under section 154(6) and the expense incurred.	Number of instances in which amount of expenses was disputed by owners.	Remarks.
1909-10	Nil	Nil	Nil	Nil	
1910-11	"	"	"	"	
1911-12	"	"	"	"	
1912-13	"	"	"	"	
1913-14	32	13	5 expense nil	"	Action is being taken in the remaining cases.

Sd. R. Subba Rao,
Health Officer,
Bangalore City.

Dated 24th July 1914.

"COPY"

For Honorary President.

C.D.R.

G R S 26] 22/1

File No 28-0-78
Serial No. 4

Diary No of letter replied to 4555

No 5036
Mc 280-13-4
9.28.12.14

General and Revenue Secretariat
(Numb.)
Dt. the 19. 12. 1914.

To

The President, Mysore City
Numb. Council through
the Dy. Comr. Mysore Dt.

Date of issue 28.12.14

Signed by M.A.V. Ramanathan

Sir,

The Bangalore City Numb.
Council Councilors that the
procedure prescribed by section
160 of the Mysore Numb. Councils
Regn. for the recovery of expenses
incurred by them under Sec 154
Cl (6) in respect of unauthorized

over

SUBJECT

buildings &c as two Cumbrous and
suggest that section 154 Cl (b)
may be so amended as to empower
Munic. Councils to recover the
Costs incurred in such cases in
the same manner as an amount
claimable as taxes &c by the
ordinary Coercive processes
provided in Chap VIII of the Regn
2) I am therefore directed
to request you to be so good
as to state whether any difficulty
has been experienced in the
Imposition for want of the
proposed power and if so in
how many cases A Copy of
the Munic. Council's Resolution
on the aforesaid proposal may
also be submitted

I have &c

Sgn
21-12

For Offg Secy

List of enclosures

Copied by

Examined by

GPB—25 000—4 8 13

579
Ed

D 4793/Md 280-13-5

Office of the Deputy Commissioner
Mysore District.
Mysore, dated 29th January 1915.

A.Subramanya Iyer, Esq.,B.A.
Deputy Commissioner
Mysore District.

D.M.Narasinga Rao, Esq.,B.A.,B.L.,
Offg. Secretary to the Government
of Mysore
General and Revenue Departments.

I have the honor to submit herewith letter No 127 23/25th January 1915 received from the President of the My- City Municipal Council submitting a copy of the resolution ing Sec 154 clause 6 of the Municipal Regulation

I have the honor to be
Sir
Your most obedient servant

asstt Commissioner
for Deputy Commissioner (absent on
Mysore District head qrs.)

191

From

To

Dated

Despatched

Received

General No

No.

Enclosure No

GPB—50 000—8-1 15

1915

From

The President, City Muni
Council, Mysore

To

The Secy to Govt of Mysore,
Gen & Rev Depts

Thro

The Deputy Commissioner

Dated 23rd
Despatched 25 } January 1915
Received

General No 127
No

Enclosure No one

Submitting a copy of Council Resolution no V dated 16/1/15 in the matter of amending Section 152 Clause 6 of the Municipal Regulation

16/1/15

No 17.

The City Municipal Office, Mysore,
Dated 23 rd January 191 5.

From

T.G.Lukshmana Rao, Esquire , L.C.E.,

President, City Municipal Council,
Mysore

To

D.M.Narasinga Rao, Esquire., B.A.,B.L ,

Secretary to the Govt of Mysore.
General & Revenue Department

Through the Deputy Commissioner.
Mysore

Sir,

With reference to your No 5036/Ml 280-13-4, dated the 28th ultimo re the matter of amending Section 154 Cl (6) of the Municipal Regulation, I have the honour to state that cases of the kind referred to in the Section have not yet occurred in this Municipality and consequently no difficulty was experienced here for want of the powers proposed by the Bangalore Municipality. The question having, however, been placed before the Municipal Council in their meeting of the 26th instant as desired in your letter under reference, it was resolved that the procedure prescribed in Section 160 regarding the ascertainment of the amount recoverable under Section 154 Cl 6 should be retained, but that the amount awarded or fixed by the Panchayet may, however, be made recoverable as amount - claimable as Municipal tax. A copy of the resolution - referred to is herewith sent

I have the honour to be,

Sir,

Your most obedient servant,

T Lukshmana Rao

President

M R V

Proceedings of the Eleventh (Ordinary) meeting of the Municipal Councillors for the City of Mysore held in the Maharaja Memorial Hall at 8 A.M. on Saturday the 10th January 1914.

Present.

1. F.C. Hallowes Esq., I.C.S., L.C.L., President.
2. C. Narayana Rao, Esq., B.A., B.L., Vice-President.
3. Dr. Mahomed Umar, District Medical Officer, In-charge of the Health Office.
4. M.V. Krishna Iyer, Esq., B.A., B.Sc., Executive Engineer, Mysore Division, Mysore.
5. Rao Bahadur M.C. Rangaiyangar, Esq., B.A.
6. Arbab Ameen Sahib, Esq.,
7. M. Venkatachellapathy, Esq.,
8. [illegible], Esq.,
9. Subbanna, Esq.,
10. Madappa, Esq.,
11. Mahomed Sardar Sahib, Esq.,
12. [illegible], Esq.,
13. [illegible], Esq.,
14. M. Ameenullah, Esq.,
15. V. Thiruvengadam Pillai, Esq.,

Absent.

1. Amildar, Mysore Taluk.
2. M. Lokanatha Rao, Esq.,
3. Superintendent Police, Esq.,
4. M. Krishnaiah, Esq.,
5. Revd. M. Caldicott.

V Letter No. 5036-MI 280-13-14, dated 28th December 1914, from the Secretary to the Government of Mysore, General and Revenue Departments, calling for a copy of Municipal Council's Resolution on the suggestion of Bangalore City Municipal Council to amend clause 6 of section 154 of the Regulation so as to empower the Municipal Councils to recover costs incurred in respect of unauthorised buildings, etc , in the same manner as amount claimable as tax, etc.

Resolved that the provisions contained in Section 160 of the Municipal Regulations regarding the ascertainment of the amount recoverable under Section 154 cl 6 by means of a reference to the Panchayet, or, failing which, by means of a reference to the District Judge, should be resorted and the amount awarded or fixed by Panchayet may, however, be made recoverable

Reproduced on the Supreme Court Web

recoverable as amount claimable as Municipal tax

x x x

Sd/- T.Lakshmana Rao,
President

" C o p y "

T.Lakshmanarao
President

M R.V.

Re proposal of the Mysore City Mun. Cl. for amending sec. 154, 167 & 168 Mun. Regs.

R S 26]

File No 280-13

Serial No 6.

Enone

No 8506

mcrso-13-6

9.6.5.15

Diary No of letter replied to 4793

General and Revenue Secretariat
(Mun.)
Bangalore the 1. 5. 1915

Date of issue 6.5.15

Signed by M A V Ramanathan Ayer

To

The President, Bangalore City Mun. Council

Sir,

With reference to your letter No 6 dated the 4th September 1914 regarding the proposal to amend Sub-sec (6) of sec 154 of the Mysore Mun. Regs., so as to empower Mun. Councils to recover the Costs incurred by them in respect of unauthorized buildings etc by ordinary Civil

over

SUBJECT

proceeding provided in Chapter
VIII of the Regn., I am directed
to forward herewith a copy of
letter No. 127 dated the 23rd January
1915 from the President of the
Anjengo City Municipal Council
on the subject, and to request
that you will be so good as
to favour Govt. with your
opinion on the suggestion made by
the Anjengo City Municipal Council
that the amounts awarded by
or levied by the Panchayat under
Sec 108 may be made recoverable
as amounts claimable as Municipal
taxes

I have &c

List of enclosures

For Secretary to Govt.

Copied by

Examined by

GPB—25 000—8-8 11

D 7343

280-13-7

No 389

Enclosure nil

OFFICE OF THE MUNICIPAL COUNCIL.

Bangalore City, 28th May 1915

29

From

DEWAN BAHADUR RAJA SABHA BHUSHANA
K P PUTTANNA CHETTY, ESQ,
Hony President, Municipal Council,
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments, Bangalore

SIR,

With reference to your letter No. 8506/ Ml. 280-13-6 dated the 6th May 1915 forwarding for my opinion copy of letter No. 127 dated the 23rd January 1915 from the President of the Mysore City Municipality on the subject of empowering Municipal Councils to recover costs incurred by them in respect of unauthorised buildings etc, by ordinary coercive processes provided in Chapter VIII of the Municipal Regulation, I have the honor to state that the Managing Committee to whom the question was referred for opinion, have stated that they do not agree with the suggestion made by the Mysore City Municipal Council. I have no objection to the slight alteration proposed by the Mysore City Council.

I have the honor to be
Sir,
Your most obedient servant,

K P Puttanna Chetty

Honorary President.

26

Page

From

To

Dated

Despatched

Received

General No

No

Enclosure No

GPB—50 CCQ—22-9 12

1915 Fno 275-14

From

The President
Municipal Council
Bangalore city.

To

The Secretary to the Govt of
H.E. the Governor of Mysore
Genl & Rev Depts
Bangalore

Dated
Despatched } 29 th May 1915.
Received

General No 339
No

Enclosure No nil

Regarding the proposal to
amend Sub-section 6 of Section
154 of the Municipal Regulation
I have that the Managing
Committee do not agree with
the suggestion made by the
Mysore city Municipal Council
but that the Commissioner
has no objection to the slight
alteration proposed by that
Council